

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:	Pulnev et al.	Application No.:	10/648,775
Patent No.:	7,160,323 B2	Filing Date	August 25, 2003
Issue Date:	January 9, 2007	Docket:	792-82 PCT/US/ CON III
Title:	METHOD FOR RECONSTRUCTING BODY LUMENS	Dated:	September 22, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attention: Certificate of Corrections Branch

Certificate of EFS-Web Transmission

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Dated September 22, 2010

Signature: John S. Sopko /John S. Sopko/

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR APPLICANT'S MISTAKE UNDER 37 C.F.R. § 1.323**

Sir:

Patentee respectfully requests correction of the above-referenced U.S. Patent No. 7,160,323 B2 pursuant to 35 U.S.C. §255, 37 C.F.R § 1.323 and MPEP §1481. In particular, this request seeks to correct data relating to Application No. 08/860,462 on the face of the patent.

On the cover page of the printed Patent No. 7,160,323 B2, copy attached as Exhibit A, the Related U.S. Application Data incorrectly reads, in part:

“application No. 08/860,462, filed on Jan, 22, 1998, now Pat. No.
6,007,574.”

The Related U.S. Application Data for Application No. 08/860,462 should correctly read:

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--U.S. Application No. 08/860,462, which is the National Stage of International Application No. PCT/RU94/00292 filed on Dec. 23, 1994, now Pat. No. 6,007,574.--

The mistake in Application No. 10/648,775, which granted as U.S. Patent No. 7,160,323 B2 on January 9, 2007, arose by failure of the Applicant to use the suggested format of MPEP §201.11, part III A. Patentee proposes to correct this mistake to ensure that correct U.S. Application data appears on the patent's face and to confirm the Patent Office's acceptance of the U.S. priority claims currently on the patent's face.

U.S. Patent No. 7,160,323 B2 (" '323 Patent") issued January 9, 2007 from U.S. Application No. 10/648,775 (" '775 Application"), filed August 25, 2003. The correct priority claim for the '323 Patent is, as follows:

(i) The '775 Application is a continuation of U.S. Application No. 10/057,261 (" '261 Application"), filed October 24, 2001, now U.S. Patent No. 6,641,608 (" '608 Patent");

(ii) which is a continuation of U.S. Application No. 09/458,141 (" '141 Application"), filed on December 9, 1999, now U.S. Patent No. 6,309,415 (" '415 Patent");

(iii) which is a continuation of U.S. Application No. 08/860,462 (" '462 Application"), which is the U.S. National Stage of International Application No. PCT/RU94/00292 ("PCT Priority Application") filed on December 23, 1994, now U.S. Patent No. 6,007,574 (" '574 Patent");

(iv) which claims the benefit of Russian Federation 93058166 ("RU Priority Application"), filed December 28, 1993.

On August 25, 2003, a Utility Patent Application Transmittal for the '775 Application ("Transmittal"), copy attached as Exhibit B, was filed. The Transmittal included a statement that the '775 Application was a continuation of the then pending '261 Application. Also on August

25, 2003, a copy of the Combined Declaration and Power of Attorney For Patent Application ("Declaration") from the '462 Application, copy attached as Exhibit C, was filed in the '775 Application. The Declaration indicates that the '462 Application is the U.S. National Stage of International Application No. PCT/RU94/00292, filed on December 23, 1994. Also, the parent '415 and '574 patents both correctly identify the '462 Application as the National Stage of International Application No. PCT/RU94/00292, filed on Dec. 23, 1994.

On December 22, 2003, a Preliminary Amendment, copy attached as Exhibit D, was filed. It amended the Specification of the '775 Application so that the first sentence after the title of the invention read, as follows: "This application is a continuation of application Serial No. 10/057,261, filed October 24, 2001."

A Supplemental Preliminary Amendment, copy attached as Exhibit E, was filed on April 30, 2004 and date stamped received May 10, 2004. It amended the Specification of the '775 Application so that the first sentence after the title of the invention read, as follows: "This application is a continuation of application Serial No. 10/057,261, filed October 24, 2001; which is a continuation of application Serial No. 09/458,141, filed December 9, 1999; which is a continuation of application Serial No. 08/860,462, filed January 22, 1998."

An office action mailed June 8, 2006, copy attached as Exhibit F, objected to this amendment only because "[t]he amendment filed 5-10-04 to the first paragraph of the specification does not disclose the status (pending or patented) of the parent applications." The office action required the specification to be updated accordingly. Thus, an Amendment was filed on July 28, 2006 to add the status of the priority applications, as requested by the Patent Office, copy attached as Exhibit G. The amended status of the priority applications read, as follows: "This application is a continuation of application Serial No. 10/057,261, filed October 24, 2001, now U.S. Patent No 6,641,608; which is a continuation of application Serial No.

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09/458,141, filed December 9, 1999, now U.S. Patent No. 6,309,415; which is a continuation of application Serial No. 08/860,462, filed January 22, 1998, now U.S. Patent No. 6,007,574.” The above-noted Amendments did not use the suggested format of MPEP §201.11, part III A. Nonetheless, under 35 U.S.C. § 363, the filing date of the PCT Priority Application is also the U.S. filing date of the corresponding National Stage application. See also MPEP § 1893.03(b) (“It should be borne in mind that the filing date of the international stage application is also the filing date for the national stage application.”).

Based on the foregoing, it is respectfully submitted that it is clear from the record that the ‘462 Application is the National Stage of International Application No. PCT/RU94/00292, that the amendments containing the specific references to each of the parent U.S. applications were made during the pendency of the ‘775 Application as required by the Patent Office, and that the Patent Office accepted all of the priority claims to the parent U.S. applications listed on the face of the ‘323 patent (as indicated by the examiner’s initials next to the “Continuing Data” priority claims identified on the bibliographic data sheet, copy attached as Exhibit H). Accordingly, Patentee requests a Certificate of Correction to correctly and expressly recite that U.S. Application No. 08/860,462 is the National Stage of International Application No. PCT/RU94/00292, filed on December 23, 1994 and to confirm the Patent Office’s acceptance of all of the priority claims to the parent U.S. applications listed on the face of the ‘323 patent.

It is also respectfully submitted that the ‘323 Patent and all priority applications have at least one common inventor pursuant to 37 C.F.R. §1.78(a)(1) as indicated on the face of the ‘574 Patent, the ‘415 Patent, the ‘608 Patent and the ‘323 Patent.

Thus, it is clear from the record, including copies of the record enclosed herewith, that the corrections should be made to the face of the patent, pursuant to MPEP § 1481.03.II.B via a certificate of correction. We are nonetheless submitting herewith a Petition to accept an

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unintentionally delayed claim for priority under 35 U.S.C. § 120 with respect to the Supplemental Preliminary Amendment of the '775 Application. We hereby request that the Certificate of Correction be issued to confirm the Patent Office's acceptance of the U.S. priority claims on the face of the '323 patent.

It is respectfully submitted that any errors occurred in good faith, and merely represent a mistake of clerical or typographical nature, or of minor character, and correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A Certificate of Correction is therefore requested.

Attached herewith in duplicate form please find fully completed Form PTO-SB-44 with at least one copy being suitable for printing.

For issuance of the certificate of correction, please charge Deposit Account No. 08-2461 any fees necessary, including but not limited to the fee required under 37 C.F.R. §§ 1.20(a).

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461.

If needed by the Patent Office, executed forms PTO/SB/81A and PTO/SB/96 are enclosed which provide the undersigned attorney with Power of Attorney by the Patentee.

Please forward the Certificate of Correction to:

John S. Sopko, Esq.
Hoffmann & Baron, LLP
6900 Jericho Turnpike
Syosset, NY 11791

Inventors: Pulnev et al.
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Issue Date: January 9, 2007
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Docket No.: 792-82 PCT/US/CON III
Page 6

Should the Corrections Branch have any questions regarding this Request or wish to discuss this matter in further detail, please contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

/John S. SOPKO, Reg. # 41,321/
John S. Sopko
Registration No.: 41,321
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700

COPY



US007160323B2

(12) **United States Patent**
Pulnev et al.

(10) **Patent No.:** **US 7,160,323 B2**
 (45) **Date of Patent:** ***Jan. 9, 2007**

(54) **METHOD FOR RECONSTRUCTING BODY LUMENS**

(58) **Field of Classification Search** 623/1.22,
 623/1.49-1.54
 See application file for complete search history.

(75) **Inventors:** **Sergei Appolonovich Pulnev,**
Sankt-Peterburg (RU); Andrei
Vladimirovich Karev, Sankt-Peterburg
(RU); Sergei Vladimirovich Schukin,
Sankt-Peterburg (RU)

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,530,113 A * 7/1985 Matterson 623/1.51
 4,655,771 A * 4/1987 Wallsten 623/1.22
 4,733,665 A * 3/1988 Palmaz 606/108
 5,015,253 A 5/1991 MacGregor
 5,197,976 A 3/1993 Hess
 5,330,400 A 7/1994 Song
 5,383,892 A 1/1995 Cardon et al
 5,456,721 A 10/1995 Legrand
 5,575,818 A * 11/1996 Pinchuk 623/1.15
 5,607,445 A 3/1997 Summers
 5,653,747 A 8/1997 Derume
 5,843,161 A 12/1998 Solovay
 6,007,574 A * 12/1999 Pulnev et al 623/1.15
 6,309,415 B1 10/2001 Pulnev et al 623/1.22
 6,319,277 B1 11/2001 Rudnick et al
 6,342,067 B1 12/2002 Mathis et al
 6,451,032 B1 9/2002 Baumeister et al

(73) **Assignee:** **EndoVascular Technologies, Inc.,**
Menlo Park, CA (US)

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 413 days.

This patent is subject to a terminal disclaimer

(21) **Appl No.:** **10/648,775**

(22) **Filed** **Aug. 25, 2003**

FOREIGN PATENT DOCUMENTS

(65) **Prior Publication Data**
US 2004/0167611 A1 Aug. 26, 2004

EP **0 221 570 A2 5/1987**
 (Continued)

Related U.S. Application Data

(63) Continuation of application No. 10/057,261, filed on Oct. 24, 2001, now Pat. No. 6,641,608, which is a continuation of application No. 09/458,141, filed on Dec. 9, 1999, now Pat. No. 6,309,415, which is a continuation of application No. 08/860,462, filed on Jan. 22, 1998, now Pat. No. 6,007,574.

Primary Examiner—Eduardo C Robert
Assistant Examiner—William H Matthews
 (74) **Attorney, Agent, or Firm—Hoffmann & Baron, LLP**

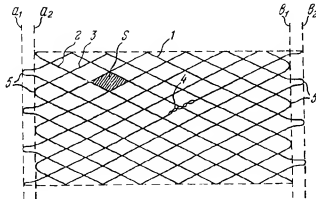
(57) **ABSTRACT**

A stent shaped as a three-dimensional body which is formed by interlaced threads (1) arranged in multistart turns of a helical line. The threads (1) are arranged in at least two groups (2 and 3) of the helical turns featuring opposite senses of helix. The stent ends are established by sections (5) where the turns of one helical line merge into those of the other helical line, said sections appearing as a single length of the thread (1).

(30) **Foreign Application Priority Data**
Dec. 28, 1993 (RU) 93058166

(51) **Int. Cl.**
A61F 2/06 (2006.01)
 (52) **U.S. Cl.** **623/6.22**

11 Claims, 2 Drawing Sheets



COPY

Exhibit B

PTO/SB/05 (06-03)

Approved for use through 07/31/2003 CMB 0651-0032

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	ENDOV-65322
First Inventor	Sergei A. Pulnev
Title	Method for Reconstructing Body Lumens
Express Mail Label	EV327658104US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing) See 37 CFR 1.27	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims small entity status.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below) [Total Pages] 18 - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets] 2 a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 16 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application: see 37 CFR 1.63(c)(2) and 1.33(c)	5. Oath or Declaration [Total Pages] 6 a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 16 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application: see 37 CFR 1.63(c)(2) and 1.33(c)
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	17. Other:

ACCOMPANYING APPLICATION PARTS

9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	<input type="checkbox"/> Power of Attorney
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)	<input type="checkbox"/> English Translation Document (if applicable)
11. <input type="checkbox"/> Information Disclosure Statement (IDS/PTO-1449)	<input type="checkbox"/> Copies of IDS Citations
12. <input type="checkbox"/> Preliminary Amendment	
13. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
14. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
15. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
16. <input type="checkbox"/> Other:	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.75:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/057,261

Prior application information: Examiner Suzette Jamie Jackson Group / Art Unit 3738

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	24201	or <input type="checkbox"/> Correspondence address below
Name	PATENT TRADEMARK OFFICE	
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	John V. Hanley	Registration No. (Anonymous/Agent)	38,171
Signature	<i>John V. Hanley</i>	Date	8/25/2003

This collection of information is required by 37 CFR 1.55(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Any including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

15992 U.S. PTO
08/25/0310/64875
08/25/03

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Exhibit C

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket
Number: PAT - 07

DECLARATION: As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Stent

the specification of which (check only one):

☒ is attached hereto.
☒ was filed on _____ as U.S. Application Number _____ or on 23 Dec 1994
as PCT Application Number 1CT/RU94/00292 and amended on _____ (if applicable.)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

		<u>Priority Claimed</u>	
<u>93058166</u>	<u>RU</u>	<u>(28.12.93)</u>	
(Number)	(Country)	Filed (Day/Month/Year)	
			XX () Yes No
			() () Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.)	(Filing Date)	(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

POWER OF ATTORNEY: I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: John B. Hardaway, III, Reg. No. 26,554; J. Bennett Mullinax, Reg. No. 36,221; Michael A. Cicero, Reg. No. 34,562; and Steven M. Reiss, Reg. No. 37,519.

SEND ALL CORRESPONDENCE TO: John B. Hardaway, III, HARDAWAY LAW FIRM, P.A., P.O. Box 10107, Fed. Sta., Greenville, South Carolina, 29603-0107 TELEPHONE NUMBER: (864) 233-6700

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR (given name, family name) Sergei Appolonovich PULNEV
Post Office Address Russian Federation, 195221, Bankt-Peterburg, Piskarevsky pr., d. 16, k. 2
Residence Bankt-Peterburg, Russian Federation Citizenship RU

Inventor's Signature [Signature] Date June 14, 1995

☒ Additional inventors are being named on a separately numbered sheet attached hereto.

Hardaway Law Firm, P.A.
(Rev. 3/96)

COPY

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

Attorney Docket
Number PAT-07

PAGE 2

FULL NAME OF SECOND JOINT INVENTOR Andrei Vladimirovich KARLY

Post Office Address Russian Federation, 195181, Sankt-Peterburg, per. Drzhambula, d.14, kv. 12

Residence Sankt-Peterburg, Russian Federation Citizenship RU

Inventor's Signature [Signature] Date June 14, 1996

FULL NAME OF THIRD JOINT INVENTOR Sergei Vladimirovich SCHUKIN

Post Office Address Russian Federation, 199226, Sankt-Peterburg, Morskaya nab., d.12, kv. 12

Residence Sankt-Peterburg, Russian Federation Citizenship RU

Inventor's Signature [Signature] Date June 6, 1996

FULL NAME OF FOURTH JOINT INVENTOR _____

Post Office Address _____

Residence _____ City and Country _____ Citizenship _____

Inventor's Signature _____ Date _____

FULL NAME OF FIFTH JOINT INVENTOR _____

Post Office Address _____

Residence _____ City and Country _____ Citizenship _____

Inventor's Signature _____ Date _____

FULL NAME OF SIXTH JOINT INVENTOR _____

Post Office Address _____

Residence _____ City and Country _____ Citizenship _____

Inventor's Signature _____ Date _____

COPY

Docket No.: ENDOV-65322
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re the application of
Inventor: Sergei A. Pulnev
Serial No. 10/648,775

Filed: August 25, 2003

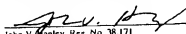
For: METHOD FOR RECONSTRUCTING
BODY LUMENS

Date: December 22, 2003

Examiner: TBD

Group Art Unit: TBD

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 22, 2003.


John V. Hanley, Reg. No. 38,171PRELIMINARY AMENDMENTMail Stop:
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The captioned application is a continuation under 37 C.F.R. §1.53(b) of U.S. Serial No. 10/057,261, filed October 24, 2001. Before action, please amend the captioned application as follows:

COPY

AMENDMENTS TO THE SPECIFICATION

Please insert the following new paragraph after the title.

This application is a continuation of application Serial No. 10/057,261, filed October 24,

2001.

COPY

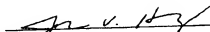
REMARKS

By this paper, the specification has been amended.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:



John V. Hanley

Registration No. 38,171

JVH/kst
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Tele.: (310) 824-5555
Fax: (310) 824-9696
36100.1

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Commissioner for Patents
 Address: PO Box 1450
 Alexandria, Virginia 22303-1450
 www.uspto.gov

APPL NO	FILING OR 371 (a) DATE	ART UNIT	PL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/648,775	08/25/2003	3731	0.00	ENDOV-65322	2	11	1

CONFIRMATION NO. 4035

FILING RECEIPT



OC000000011836235

24201

FULWIDER PATTON LEE & UTECHT, LLP
 HOWARD HUGHES CENTER
 6050 CENTER DRIVE
 TENTH FLOOR
 LOS ANGELES, CA 90045

FEB 09 2004

Date Mailed: 02/06/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Sergei Appolonovich Pulnev, Sankt-Peterburg, RUSSIAN FEDERATION;
 Andrei Vladimirovich Karev, Sankt-Peterburg, RUSSIAN FEDERATION;
 Sergei Vladimirovich Schukin, Sankt-Peterburg, RUSSIAN FEDERATION;

Domestic Priority data as claimed by applicant

This application is a CON of 10/057,261 10/24/2001 PAT 6,641,608

Foreign Applications

RUSSIAN FEDERATION 93058166 12/28/1993

If Required, Foreign Filing License Granted: 02/04/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Method for reconstructing body lumens

COPY

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY

Docket No.: ENDOV-65322
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Sergei Appolonovich Pulnev, et al.

Serial No. 10/648,775

Filed: August 25, 2003

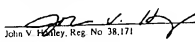
For: METHOD FOR RECONSTRUCTING
BODY LUMENS

Date: April 30, 2004

Examiner: TBD

Group Art Unit: 3731

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Missing Parts, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on April 30, 2004.


John V. Henley, Reg. No. 38,171SUPPLEMENTAL PRELIMINARY AMENDMENT

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The captioned application is a continuation under 37 C.F.R. §1.53(b) of U.S. Serial No. 10/057,261, filed October 24, 2001. Before action, please amend the captioned application as follows:

COPY

AMENDMENTS TO THE SPECIFICATION

Please insert the following amended paragraph after the title.

This application is a continuation of application Serial No. 10/057,261, filed October 24, 2001; which is a continuation of application Serial No. 09/458,141, filed December 9, 1999;
which is a continuation of application Serial No. 08/860,462, filed January 22, 1998.

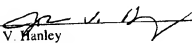
COPY

REMARKS

By this paper, the specification has been amended.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
John V. Hanley
Registration No. 38,171

JVH/kst
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Tele.: (310) 824-5555
Fax: (310) 824-9696
Customer No. 24201

51027.1

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APPL. NO.	FILING OR 371 (b) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/648,775	08/25/2003	3731	1190	ENDOV-65322	2	11	1

CONFIRMATION NO. 4035

UPDATED FILING RECEIPT



OC000000012713879

24201

JWH
 FULWIDER PATTON LEE & UTECHT, LLP
 HOWARD HUGHES CENTER
 6060 CENTER DRIVE
 TENTH FLOOR
 LOS ANGELES, CA 90045

Date Mailed: 05/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Sergei Appolonovich Pulnev, Sankt-Peterburg, RUSSIAN FEDERATION;
 Andrei Vladimirovich Karev, Sankt-Peterburg, RUSSIAN FEDERATION;
 Sergei Vladimirovich Schukin, Sankt-Peterburg, RUSSIAN FEDERATION;

Domestic Priority data as claimed by applicant

This application is a CON of 10/057,261 10/24/2001 PAT 6,641,608
 which is a CON of 09/458,141 12/09/1999 PAT 6,309,415
 which is a CON of 08/860,462 01/22/1998 PAT 6,007,574

Foreign Applications

RUSSIAN FEDERATION 93058166 12/28/1993

If Required, Foreign Filing License Granted: 02/04/2004

Projected Publication Date: 08/26/2004

Non-Publication Request: No

Early Publication Request: No

Title

Method for reconstructing body lumens

COPY

Preliminary Class

623

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,775	08/23/2003	Sergei Appolonovich Pulnev	ENDOV-65322	4035
<div>EXAMINER</div> <div>MATTHEWS, WILLIAM H</div>				
<div>ART UNIT</div> <div>PAPER NUMBER</div>				
<div>3738</div>				
DATE MAILED: 06/08/2006				

24201 7590 06/08/2006

FULWIDER PATTON
6060 CENTER DRIVE
10TH FLOOR
LOS ANGELES, CA 90045

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/648,775

Applicant(s)

PULNEV ET AL.

Examiner

William H. Matthews (Howie)

Art Unit

3738

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
 Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☒ Claim(s) 1-3 is/are allowed.
 6) ☒ Claim(s) 4-11 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____

DETAILED ACTION***Terminal Disclaimer***

1. The terminal disclaimer filed on 3-16-06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,007,574 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Objections

1. Claims 4-11 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 4-11 have not been further treated on the merits.

Specification

2. The amendment filed 5-10-04 to the first paragraph of the specification does not disclose the status (pending or patented) of the parent applications. Applicant should update accordingly.

COPY

Page 3

Application/Control Number: 10/648,775

Art Unit: 3738

Allowable Subject Matter

Claims 1-3 allowed.

Conclusion

3. This application is in condition for allowance except for the following formal matters: multiple dependent claims and correction of the first paragraph of the specification.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Matthews (Howie) whose telephone number is 571-272-4753. The examiner can normally be reached on Monday-Friday 10-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Corrine M. McDermott can be reached on 571-272-4754. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

COPY

Application/Control Number: 10/648,775
Art Unit: 3738

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


William H. Matthews (Howie)
Examiner
Art Unit 3738



COPIES

Docket No.: ENDOV-65322
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Sergei Appolonovich Pulnev, et al.

Serial No. 10/648,775

Filed: August 25, 2003

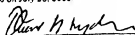
For: METHOD FOR RECONSTRUCTING
BODY LUMENS

Date: July 28, 2006

Examiner: Suzette Jaime J. Gherbi

Group Art Unit: 3738

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 28, 2006


Thomas H. Majcher, Reg. No. 31,119

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office action dated June 8, 2006. Please amend the above-referenced application as indicated below.

COPY

AMENDMENTS TO THE SPECIFICATION

Please insert the following amended paragraph after the title.

This application is a continuation of application Serial No. 10/057,261, filed October 24, 2001, now U.S. Patent No. 6,641,608; which is a continuation of application Serial No. 09/458,141, filed December 9, 1999, now U.S. Patent No. 6,309,415; which is a continuation of application Serial No. 08/860,462, filed January 22, 1998, now U.S. Patent No. 6,007,574.

AMENDMENTS TO THE CLAIMS:

The listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) A stent shaped as a three-dimensional body whose surface is formed by at least two groups of turns ~~(2 and 3)~~ made of interlaced elastic threads and arranged along helical lines having opposite senses of helix, and the end faces of said three-dimensional body are formed by sections ~~(5)~~ where the turns of one helical line pass into the turns of the other helical line, ~~CHARACTERIZED in that~~ wherein each of said sections of passing the turns of the helical lines is formed by a bend of a segment of a single elastic thread ~~(1)~~ from which the turns of helical lines are made.
2. (Currently Amended) A stent as set forth in claim 1, ~~CHARACTERIZED in that~~ wherein the turns of all helical lines are made of a single segment of the thread ~~(1)~~.
3. (Currently Amended) A stent as set forth in claim 1 or 2, ~~CHARACTERIZED in that~~ wherein the turns ~~(2 and 3)~~ of helical lines are arranged with a variable pitch.
4. (Currently Amended) A stent as set forth in ~~any one of claim 1-3~~ claim 1, ~~CHARACTERIZED in that~~ wherein the three-dimensional body has a variable transverse diameter.
5. (Currently Amended) A stent as set forth in ~~any one of claims 1-4~~ claim 1, ~~CHARACTERIZED in that~~ wherein a present section (8) of the three-dimensional body is provided with the additionally interwoven threads ~~(1)~~.

6. (Currently Amended) A stent according to ~~any one of Claims 1-5~~ claim 1,
~~CHARACTERIZED in that~~ wherein free ends (4) of the threads (1) are joined to the threads (1)
that form the helical turns, and/or to one another.

7. (Currently Amended) A stent according to ~~any one of Claims 1-6~~ claim 1,
~~CHARACTERIZED in that on~~ wherein the sections (5) where the turns of one helical line pass
into those of the other helical line ~~having~~ have the opposite sense of helix.

8. (Currently Amended) A stent according to ~~any one of Claims 1-7~~ claim 1,
~~CHARACTERIZED in that~~ wherein the bending points on the sections (5) where the turns (2
and 3) merge[,] are the longitudinal axis of the three-dimensional body.

9. (Currently Amended) A stent according to ~~any one of Claim 1-8~~ claim 1,
~~CHARACTERIZED in that~~ wherein the threads (1) are made of a material featuring the shape
memory effect.

10. (Currently Amended) A stent according to ~~any one of Claims 1-8~~ claim 1,
~~CHARACTERIZED in that~~ wherein the threads (1) are made of a superelastic material.

11. (Currently Amended) A stent according to ~~any one of Claims 1-8~~ claim 1,
~~CHARACTERIZED in that~~ wherein the three-dimensional body has a coating of a biocompatible
material.

COPY

REMARKS

By this paper, claims 1-11 have been amended by deleting all reference numeral appearing in the claim and changing the term "CHARACTERIZED in that" to "wherein." These amendments were made to conform the claims into accepted U.S. Patent Office format and were not for the purposes of distinguishing the claims over the prior art. No new matter has been added as a result of these amendments. Claims 1-11 remain pending.

In the outstanding Office action dated June 8, 2006, claims 4-11 were objected to under 37 CFR 1.75(c) as being in improper form. Accordingly, claims 4-11 also have been amended so that they depend directly from independent claim 1. As such, it is believed that the objections to the claims have been traversed.

In the outstanding Office action, the Examiner also required the disclosure in the pending application of the status of the parent application. Accordingly, Applicants have amended the specification to include such information to thereby traverse the objection to the specification.

COPY

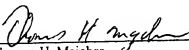
CONCLUSION

Applicants have attempted to completely respond to the rejections set forth in the outstanding Office action. In view of the above remarks, Applicants respectfully request that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

FULWIDER PATTON LLP

By:



Thomas H. Majcher
Registration No. 31,119

JVH/kst
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
1315861



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Bib Data Sheet

CONFIRMATION NO. 4035

SERIAL NUMBER 10/648,775	FILING OR 371(c) DATE 08/25/2003 RULE	CLASS 623	GROUP ART UNIT 3738	ATTORNEY DOCKET NO. ENDOV-65322
------------------------------------	-----------------------------------------------------------	---------------------	-------------------------------	-------------------------------------------

APPLICANTS
 Sergei Appolonovich Pulnev, Sankt-Peterburg, RUSSIAN FEDERATION;
 Andrei Vladimirovich Karev, Sankt-Peterburg, RUSSIAN FEDERATION;
 Sergei Vladimirovich Schukin, Sankt-Peterburg, RUSSIAN FEDERATION;

**** CONTINUING DATA *******
 This application is a CON of 10/057,261 10/24/2001 PAT 6,641,608 which is a CON of 09/458,141 12/09/1999 PAT 6,309,415
 which is a CON of 08/860,462 01/22/1998 PAT 6,007,574 *2H*

**** FOREIGN APPLICATIONS *******
 RUSSIAN FEDERATION 93058166 12/28/1993 *2H*

IF REQUIRED, FOREIGN FILING LICENSE GRANTED **
 02/04/2004

Foreign Priority claimed 35 USC 119 (a-d) conditions met <input checked="" type="checkbox"/> yes <input type="checkbox"/> no Verified and Acknowledged <i>2H</i> Examiner's Signature _____ Initials _____	STATE OR COUNTRY RUSSIAN FEDERATION	SHEETS DRAWING 2	TOTAL CLAIMS 11	INDEPENDENT CLAIMS 1
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------	----------------------------	---------------------------	--------------------------------

ADDRESS
24201

TITLE
Method for reconstructing body lumens

FILING FEE RECEIVED 1190	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit _____
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PATENT - POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Patent Number	7,160,323 B2
	Issue Date	January 9, 2007
	First Named Inventor	Pulnev
	Title	Method For Reconstructing Body Lumens
	Attorney Docket Number	792-82 PCT/US/CON III

I hereby revoke all previous powers of attorney given in the above-identified patent.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) with respect to the patent identified above, and to transact all business in the United States Patent and Trademark Office connected therewith: 23,869

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) with respect to the patent identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified patent to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

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Address

City State Zip

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
I am the:

☐ Inventor, having ownership of the patent.

OR

☒ Patent owner.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on herewith

Signature		SIGNATURE of Inventor or Patent Owner	Date	<u>September 22, 2009</u>
Name	William J. Shaw		Telephone	(508) 650-9384
Title and Company	Patent Counsel and Assistant Secretary, Endovascular Technologies, Inc.			

NOTE: Signatures of all the inventors or patent owners of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

The collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Endovascular Technologies, Inc.Application No./Patent No.: 7,160,323 B2 Filed/Issue Date: January 9, 2007Titled: **METHOD FOR RECONSTRUCTING BODY LUMENS**Endovascular Technologies, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)
- the patent application/patent identified above, by virtue of either:
- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Inventors To: Endovascular Technologies, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 010758, Frame 0566, or for which a copy thereof is attached.
2. From: Endovascular Technologies, Inc. To: Abbott Laboratories, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 024973, Frame 0523, or for which a copy thereof is attached.
3. From: Abbott Laboratories, Inc. To: Boston Scientific Scimed, Inc.
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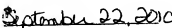
- ☒ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature
William J. Shaw


Date
Patent Counsel and
Assistant Secretary
Title

Printed or Typed Name

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket: 792-82 PCT/US/CONIII
(U.S. Patent No. 7,160,323)

Continuation of Part B of Statement Under 37 CFR 3.73(b) on form PTO/SB/96

4. From: Boston Scientific Scimed, Inc. To: Endovascular Technologies, Inc.

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,160,323 B2

APPLICATION NO.: 10/648,775

ISSUE DATE : January 9, 2007

INVENTOR(S) : Pulnev et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below.

On the face of the printed patent replace the following phrase in the Related U.S. Application Data "application No. 08/860,462, filed on Jan. 22, 1998, now Pat. No. 6,007,574" with --U.S. Application No. 08/860,462, which is the National Stage of International Application No. PCT/RU94/00292 filed on Dec. 23, 1994, now Pat. No. 6,007,574. --

MAILING ADDRESS OF SENDER (Please do not use customer number below):

John S. Sopko, Esq.
Hoffmann & Baron, LLP, 6900 Jericho Turnpike, Syosset, New York 11791

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 10 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

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